

SENATE BILL 2593
By Cooper

AN ACT to amend Tennessee Code Annotated, Titles 56 and 71,
relative to TennCare.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, Part 1, is amended by adding the following language as a new, appropriately designated section.

SECTION 2.

(a) Managed care organizations which participate in the TennCare program are encouraged to use provider networks established for the delivery of services to patients who are not eligible for enrollment in TennCare; provided, however, any managed care organization which participates in TennCare shall not discriminate against any healthcare provider who chooses not to participate in the managed care organization's TennCare network.

(b) For purposes of this act "discrimination" means, but is not limited to, to coerce participation in the managed care organization's TennCare network by terminating, threatening to terminate, or failing to renew any provider contract due in whole or in part to a provider's nonparticipation in the managed care organization's TennCare network.

(c) For purposes of this act "managed care organization" means a preferred provider organization, health maintenance organization, or any other health care organization.

(d) Any managed care organization which violates this section shall be ineligible to participate in the TennCare program.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

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